1	MARY ANN SMITH		
2	Deputy Commissioner SEAN M. ROONEY		
3	Assistant Chief Counsel ADAM WRIGHT (State Bar No. 262378)		
4	Senior Counsel Department of Business Oversight 320 West 4th Street, Suite 750		
5			
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8	Attorneys for Complainant		
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11	BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT		
12	OF THE STATE OF CALIFORNIA		
13			
14	In the Matter of:  Output  Output  Description:  Output  Descripti		
15	THE COMMISSIONER OF BUSINESS  CITATION PURSUANT TO FINANCIAL		
16	OVERSIGHT, ) CODE SECTION 22707.5		
17	Complainant, )		
18	)		
19	ELECTRONIC PROCESSING NW, LLC,		
20	Respondent.		
21	) )		
22			
23	Jan Lynn Owen, the Commissioner of Business Oversight (Commissioner), finds the		
24	following:		
25	I.		
26	FACTUAL BACKGROUND		
27	1. Electronic Processing NW, LLC, is an Oregon limited liability company, with a		
28	principal place of business at 1355 SW 9th Street, Dundee, Oregon 97115.		
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2.	Electronic Processing NW, LLC is licensed as a finance broker under the		
California Finance Lenders Law (CFLL) with license number 60DBO-53456 (EPN).			
3.	In accordance with Financial Code section 22159, CFLL licensees must file an		
annual report with the Commissioner by March 15th of each year (Annual Report).			
4.	On March 6, 2017, the Commissioner notified CFLL licensees of the March 15		
deadline to file their annual reports by sending notice to the email address each CFLL licensee			
established pursuant to the Commissioner's Order on Electronic Communications, dated			
November 22, 2013.			
5.	As of March 22, 2017, EPN had not filed its Annual Report with the		
Commissio	oner. As a result, the Commissioner issued a notice letter to EPN on March 22, 201		
advising E	PN that it should file its annual report by April 11, 2017 or else its license would be		
summarily revoked pursuant to Financial Code section 22715 (Notice Letter).			
6.	As of April 11, 2017, the Commissioner had not yet received EPN's Annual		
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- Annual Report). licensees of the March 15th ddress each CFLL licensee mmunications, dated
- Report with the r to EPN on March 22, 2017, or else its license would be ce Letter).
- received EPN's Annual Report. As a result, on April 19, 2017, the Commissioner issued an order pursuant to Financial Code section 22715 immediately revoking the CFLL license of EPN (Revocation Order).
- 7. Upon receiving the Revocation Order, EPN promptly notified the Commissioner and requested a hearing on the Revocation Order.
- 8. On May 16, 2017, EPN submitted its Annual Report, which was due on March 15, 2017.
- 9. In connection with these proceedings, EPN represented to the Commissioner that it had not conducted activity under its license following issuance of the Revocation Order.
- 10. In reliance upon these facts, on May 23, 2017, the Commissioner issued an order rescinding the earlier Revocation Order.

## II.

## **CITATION**

Financial Code section 22707.5, subdivision (a), provides in relevant part:

(a) If, upon inspection, examination, or investigation, the commissioner has cause to believe that a licensee or other person is violating any provision of this division or any rule or order thereunder, the commissioner or his or her designee, may issue a citation to the licensee or person in writing, describing with particularity the basis of the citation . . . In addition, each citation may assess an administrative fine not to exceed two thousand five hundred dollars  $(\$2,500)\ldots$ 

Based on the foregoing, EPN failed to file an annual report with the Commissioner by March 15, 2017 in violation of Financial Code section 22159. The Commissioner hereby assesses EPN an administrative fine of \$500.00 pursuant to Financial Code section 22707.5, subdivision (a). EPN is hereby ordered to pay the Commissioner an administrative fine of \$500.00 for the above citation within 30 days from the date of this citation.

EPN shall pay these fines with a cashier's check made payable to the Department of Business Oversight for the amount of \$500.00 and shall submit that check to the following address within thirty (30) days from the date of this citation: ATTN: Accounting – Litigation, Department of Business Oversight, 1515 K Street, Suite 200, Sacramento, California 95814. Notice of the payment shall be sent to: Adam Wright, Senior Counsel, Department of Business Oversight, 320 W. 4th Street, Suite 750, Los Angeles, California 90013.

Dated: May 23, 2017 JAN LYNN OWEN
Sacramento, California Commissioner of Business Oversight

By: \_\_\_\_\_

MARY ANN SMITH Deputy Commissioner Enforcement Division